

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 457

Short Title: Elections Clarifications.

(Public)

Sponsors: Representatives Lewis, Jones, and Speciale (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Elections.

April 2, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE ELECTIONS
3 LAWS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 163-213.2 reads as rewritten:

6 **"§ 163-213.2. Primary to be held; date; qualifications and registration of voters.**

7 On the Tuesday after the first Monday in ~~May, 1992, March~~ 2016 and every four years
8 thereafter, the voters of this State shall be given an opportunity to express their preference for
9 the person to be the presidential candidate of their political party, ~~except that if South Carolina~~
10 ~~holds its presidential primary before the 15th day of March, the North Carolina presidential~~
11 ~~preference primary shall be held on the Tuesday after the first South Carolina presidential~~
12 ~~preference primary of that year.~~

13 Any person otherwise qualified who will become qualified by age to vote in the general
14 election held in the same year of the presidential preference primary shall be entitled to register
15 and vote in the presidential preference primary. Such persons may register not earlier than 60
16 days nor later than the last day for making application to register under G.S. 163-82.6 prior to
17 the said primary. In addition, persons who will become qualified by age to register and vote in
18 the general election for which the primary is held, who do not register during the special period
19 may register to vote after such period as if they were qualified on the basis of age, but until they
20 are qualified by age to vote, they may vote only in primary elections."

21 **SECTION 2.** G.S. 163-213.4 reads as rewritten:

22 **"§ 163-213.4. Nomination by State Board of Elections.**

23 No later than 90 days preceding the North Carolina presidential preference primary, the
24 chair of each political party shall submit to the State Board of Elections a list of its presidential
25 candidates to be placed on the presidential preference primary ballot. The list must be
26 comprised of candidates whose candidacy is generally advocated and recognized in the news
27 media throughout the United States or in North Carolina, unless any such candidate executes
28 and files with the chair of the political party an affidavit stating without qualification that the
29 candidate is not and does not intend to become a candidate for nomination in the North
30 Carolina Presidential Preference Primary Election. The State Board of Elections shall prepare
31 and publish a list of the names of the presidential candidates submitted. The State Board of
32 Elections shall convene in Raleigh ~~on the first Tuesday in March~~ preceding the presidential
33 preference primary election. At the meeting required by this section, the State Board of
34 Elections shall nominate as presidential primary candidates all candidates affiliated with a
35 political party, recognized pursuant to the provisions of Article 9 of Chapter 163 of the General



1 Statutes, who have been submitted to the State Board of Elections. Additionally, the State
2 Board of Elections, by vote of at least three of its members in the affirmative, may nominate as
3 a presidential primary candidate any other person affiliated with a political party that it finds is
4 generally advocated and recognized in the news media throughout the United States or in North
5 Carolina as candidates for the nomination by that party. Immediately upon completion of these
6 requirements, the Board shall release to the news media all such nominees selected. Provided,
7 however, nothing shall prohibit the partial selection of nominees prior to the meeting required
8 by this section, if all provisions herein have been complied with."

9 **SECTION 3.** This act is effective when it becomes law.